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**BILL REQUEST - CODE REVISER'S OFFICE**

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BILL REQ. #: Z-1026.1/06

ATTY/TYPIST: LL:seg

BRIEF DESCRIPTION: Addressing death benefit payments for law  
enforcement officers' and fire fighters'  
retirement system, plan 2.

AN ACT Relating to death benefit payments for law enforcement officers' and fire fighters' retirement system, plan 2; and amending RCW 41.26.048.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**Sec. 1.** RCW 41.26.048 and 1996 c 226 s 1 are each amended to read as follows:

(1) A one hundred fifty thousand dollar death benefit shall be paid to the member's estate, or such person or persons, trust or organization as the member shall have nominated by written designation duly executed and filed with the department. If there be no such designated person or persons still living at the time of the member's death, such member's death benefit shall be paid to the member's surviving spouse as if in fact such spouse had been nominated by written designation, or if there be no such surviving spouse, then to such member's legal representatives.

(2) The benefit under this section shall be paid only (~~where~~) when death occurs: (a) As a result of injuries sustained in the course of employment; or (b) to a member of plan 2 as a result of illness sustained in the course of employment. The determination of

eligibility for the benefit shall be made consistent with Title 51 RCW by the department of labor and industries. The department of labor and industries shall notify the department of retirement systems by order under RCW 51.52.050.

(3) Beginning July 1, 2006, and every year thereafter, the department shall adjust the amount of the benefit for plan 2 members annually for inflation as provided in RCW 41.26.440.